

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

New York, New York

Michael Lax, et al.

Date: May 16, 2001

Serial No. : To be Assigned

Group Art Unit: -

Filed : Herewith

Examiner: -

For: CASE WITH INTERNAL LOCK

Asst. Commissioner for Patents
Washington, D.C. 20231

**DECLARATION BY RICHARD LaCAVA IN SUPPORT OF
PETITION TO MAKE SPECIAL UNDER 37 C.F.R. §1.102**

Sir:

I, Richard LaCava, do hereby declare the following:

1. I am an attorney licensed to practice law in the State of New York and authorized to represent applicants before the United States Patent and Trademark Office. I submit this Declaration in support of a **Petition to Make Special Pursuant to 37 C.F.R. §1.102.**

2. Applicants have procured my firm's services to represent them before the Patent Office for the above referenced application.

3. I have reviewed and am familiar with the attached **Declaration by Michael Lax in Support of Petition to Make Special Under 37 C.F.R. §1.102.**

4. I have made a rigid comparison between the infringing product referenced in the Declaration of Michael Lax and the claims of the application and, in my opinion, at least some of the claims are unquestionably infringed. I base this conclusion upon a description of the

infringing product in a competitor's marketing brochure which indicates that the product will be made available by Autumn 2001.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Executed on May 16, 2001 at New York, New York


Richard LaCava